



08-22-05

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Express Mail No.: EV 603557718 US

IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE

Application Number: 10/731,316
Filed: December 8, 2003
Applicants: John Favuzzi, Benno Guggenheimer, Jeff Rau, Marc Key,
Robert Lathrop, Rosanne Welcher
Title: Method and Apparatus for Pretreatment of Tissue Slides
TC/A.U: 1645
Examiner:
Attorney Docket: DakoCytoDestiny-PreTreat
Customer No. 33,549

LETTER OF TRANSMITTAL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed with this correspondence are the following documents:

1. Submission of Information Disclosure Statement Pursuant To 37 C.F.R. 1.97(b)(3) and MPEP §609(B1);
2. Information Disclosure Statement pursuant to 37 CFR §1.97(b)(3) and copies of Foreign References and Other Documents cited;
3. This Letter of Transmittal; and
4. A Certificate of Express Mailing for each document and a return receipt post card.

I have this 18 day of August, 2005, either myself personally or through my direction of staff at this office, deposited all of the items in the above letter of transmittal with the United States Postal Service as Express Mail, postage prepaid, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

Please confirm receipt of the documents by applying your date stamp on the enclosed postcard and returning it to me.

Dated this 18 day of August, 2005.

Respectfully Submitted,
SANTANGELO LAW OFFICES, P.C.

By: Nicole A. Ressue
Nicole A. Ressue
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**SUBMISSION OF INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. 1.97(b)(3) AND MPEP SECTION 609(B1)**

The applicant respectfully requests consideration of the attached Information Disclosure Statement. Pursuant to 37 C.F.R. 1.97(b)(3) and §609(B1) of the MPEP, no fee is required.

In accordance with 37 C.F.R. §1.97(b)(3), this Information Disclosure Statement is filed before the mailing date of a first office action (to the Applicant's best knowledge). As a means of complying with the duty of disclosure set forth in 37 C.F.R. §§1.56, 1.97, and 1.98, the following information may be material to the examination of the referenced application. Pursuant to 37 C.F.R. Section 1.97(g), this Information Disclosure Statement should not be construed as a representation that a search has been made. Additionally, pursuant to 37 C.F.R. §1.97(h) the filing of this Information Disclosure Statement shall not be construed as an admission that the information cited is or is considered to be material to patentability as defined in 37 C.F.R. 1.56(b). A copy of each item listed under Foreign References and Other Documents is enclosed.

Dated this 18 day of August, 2005.

Respectfully submitted,
SANTANGELO LAW OFFICES, P.C.

By: Nicole A. Ressue
Nicole A. Ressue
Attorney for Applicant
PTO No. 48,665
125 South Howes, Third Floor
Fort Collins, Colorado 80521
(970) 224-3100



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<p>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p>	APPLICATION NO:	10/731,316
	FILING DATE:	December 8, 2003
	FIRST NAMED INVENTOR:	John Favuzzi
	ART UNIT:	1645
	EXAMINER NAME:	
	DOCKET NO:	DakoCyto Destiny-PreTreat

I. U.S. PATENT DOCUMENTS

EXAMINE R INITIAL	DOCUMENT NO. & KIND CODE (if known)	PUB'N DATE mm-dd-yyyy	PATENTEE OR APPLICANT NAME	Pages, Columns, Lines Where Relevant Passages Or Relevant Drawings Appear
	2001/0006417	07/05/2001	Modlin et al.	
	2001/0037072A1	11/01/2001	Virtanen	
	2001/0055799A1	12/27/2001	Baunoch et al.	
	2002/0009391A1	01/24/2002	Marquiss et al.	
	2002/0098595A1	07/25/2002	Lubman et al.	
	2002/0176801A1	11/28/2002	Giebeler et al.	
	2002/0178547A1	12/05/2002	Shofner et al.	
	2003/0032048A1	02/13/2003	Kim et al.	
	2003/0043963A1	03/06/2003	Yamagami et al.	
	2003/0087443A1	05/08/2003	Pressman et al.	
	2003/0162221A1	08/28/2003	Bader et al.	
	2003/0200111A1	10/23/2003	Damji	
	2003/0215357A1	11/20/2003	Malterer et al.	
	2004/0002163A1	01/01/2004	Reinhardt et al.	
	2004/0033163A1	02/19/2004	Tseung et al.	
	3600900A	08/24/1971	Buddecke	
	3976028A	08/24/1976	Howells et al.	
	4018565A	04/19/1977	Fletcher, III et al.	
	4084541A	04/18/1978	Ito Hiromi	
	4092952	06/06/1978	Wilkie et al.	
	4115861A	09/19/1978	Allington	
	4404641A	09/13/1983	Bazarnik	
	4510169A	04/09/1985	Linner	
	4539632A	09/03/1985	Hansen et al.	
	4695430A	09/22/1987	Corville et al.	

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	4738824A	04/19/1988	Takeuchi	
	4886590A	12/12/1989	Tittle	
	4986891A	01/22/1991	Sarrine et al.	
	5104527A	04/14/1992	Clinkenbeard	
	5289385A	02/22/1994	Grandone	
	5316726A	05/31/1994	Babson et al.	
	5355304A	10/11/1994	DeMoranville et al.	
	5366896A	11/22/1994	Margrey et al.	
	5382511A	01/17/1995	Stapleton	
	5449622A	09/12/1995	Yabe et al.	
	5473551A	12/05/1995	Sato et al.	
	5544650A	08/13/1996	Boon et al.	
	5573727A	11/12/1996	Keefe	
	5677966A	10/14/1997	Doerr et al.	
	5776414A	07/07/1998	Itani et al.	
	5958341A	09/28/1999	Chu	
	6017495A	01/25/2000	Ljungmann	
	6019945A	02/01/2000	Ohishi et al.	
	6097995A	08/01/2000	Tipton et al.	
	6110425A	08/29/2000	Gao et al.	
	6335208B1	01/01/2002	Lowry	
	6387326B1	05/14/2004	Edwards et al.	
	6444170B1	09/03/2002	Heid Hans et al.	
	6509193B1	01/21/2003	Tajima	
	6548822B1	04/15/2003	Morris et al.	
	6699710B1	03/02/2004	Kononen et al.	
	6735531B2	05/11/2004	Rhett et al.	
	6800249B2	10/05/2004	de la Torre-Bueno	
	2004/00266015A1	12/30/2004	Dakocytomation Denmark A/S	
	2004/0064535A1	03/24/2005	Dakocytomation Denmark A/S	

II. FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	Foreign Patent Document Country Code, Number, Kind Code (if known)	PUB'N DATE mm-dd-yyyy	PATENTEE OR APPLICANT NAME	TRANSLATION	
				Yes	No
	ES 2160486 A1	11/1/2001	Consejo Superior Investigaciones Cientif		

	GB 2218514A	3/6/2003	General Motors Corporation		
	WO0106255A	1/25/2001	Byk Gulden Lomberg Chem Fab		
	WO 03/045560 A3	06/05/2003	Dakocytomation Denmark A/S		
	WO 04/057307	07/08/2004	Dakocytomation Denmark A/S		
	WO 04/057308 A1	07/08/2004	Dakocytomation Denmark A/S		
	WO 04/058404 A2	07/15/2004	Dakocytomation Denmark A/S		
	WO 04/058404 A3	07/15/2004	Dakocytomation Denmark A/S		
	WO 04/058950 A1	07/15/2004	Dakocytomation Denmark A/S		
	WO 04/059284 A2	07/15/2004	Dakocytomation Denmark A/S		
	WO 04/059284 A3	07/15/2004	Dakocytomation Denmark A/S		
	WO 04/059287 A2	07/15/2004	Dakocytomation Denmark A/S		
	WO 04/059287 A3	07/15/2004	Dakocytomation Denmark A/S		
	WO 04/059288 A2	07/15/2004	Dakocytomation Denmark A/S		
	WO 04/059288 A3	07/15/2004	Dakocytomation Denmark A/S		
	WO 04/059297 A1	07/15/2004	Dakocytomation Denmark A/S		
	WO 04/059441 A2	07/15/2004	Dakocytomation Denmark A/S		
	WO 04/059441 A3	07/15/2004	Dakocytomation Denmark A/S		
	WO 94/06080	03/17/199	Fault Tolerant Systems		
	WO 95/33240	12/07/1995	Biotek Solutions Incorporated		

III. OTHER DOCUMENTS

	12 Most Frequently Asked Questions About Thermoelectric Cooling. In: Tellurex Corporation, accessed 10/27/2004, http://www.tellurex.com/12most.html	
	US Application No. 11/156,760 filed June 20, 2005, entitled "Method and Apparatus for Automated Pre-Treatment and Processing of Biological Samples," 126 pages.	
EXAMINER		DATE CONSIDERED
EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.		



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CERTIFICATE OF EXPRESS MAILING

I, Michael Blackmore, hereby certify to the truth of the following items:

1. I am an employee of Santangelo Law Offices, P.C., 125 South Howes, Third Floor, Fort Collins, Colorado 80521.
2. I have this day deposited the attached Submission of Information Disclosure Statement Pursuant To 37 C.F.R. 1.97(b)(3) and MPEP §609(B1); Information Disclosure Statement Pursuant to 37 CFR §1.97(b)(3) and copies of Foreign References and Other Documents cited; Letter of Transmittal; and return post card with the United States Postal Service as Express Mail, postage prepaid, for mailing to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

Dated this 18 day of August, 2005.



Michael Blackmore